

Lexington, Kentucky      September 22, 2005

The Council of the Lexington-Fayette Urban County Government convened in regular session September 22, 2005 at 7:00 P.M. Present were Mayor Teresa Ann Isaac in the chair presiding, and the following members of the Council: Council Members DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney, Scanlon, Shafer, Stinnett, Wigginton, Brown and Cegelka. Absent were Council Members Myers and Stevens.

The reading of the minutes of the previous meetings was waived.

Ordinances No. \_\_\_\_ thru \_\_\_\_\_ inclusive and Resolutions No. \_\_\_\_ thru \_\_\_\_ inclusive were ETC.

The Invocation was given by Associate Pastor Kirk Hall, First Presbyterian Church.

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Upon motion of Ms. Shafer and seconded by Mr. Farmer, the minutes of the May 10, June 23 and July 7, 2005 Council Meeting were approved by unanimous vote.

Mr. Wigginton stated that he wanted the minutes of the September 20, 2005 Special Meeting to show that he was present but did not vote because he had not been at the earlier meeting when the zone change request was first considered.

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Mr. McChord made a presentation, along with the UK Cheerleading Squad, of a Commemoration to Mr. T. Lynn Williamson, former coach of the squad.

Mr. McChord read a statement from UK President Dr. Lee Todd honoring Mr. Williamson.

The Mayor and Council congratulated Mr. Williamson.

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An Ordinance amending Ordinance No. 267-2004, as amended by Ordinances Nos. 220-2005 and 224-2005, relating to the schedule of meetings for the Urban County Council for Calendar Year 2005 to change the starting time for work sessions from 1:30 p.m. to 3:30 p.m. beginning October 6, 2005 was on the docket for second reading.

Mr. Cegelka made a motion, seconded by Ms. Gorton, to amend the ordinance to change the starting time for work sessions to 2:30 p.m.

The motion failed by a vote of 6-7.

Mr. Ellinger made a motion, seconded by Ms. Gorton, to amend the ordinance to change the starting time for work sessions to 3:00 p.m.

The motion passed by a vote of 7-6.

The ordinance was given a new first reading as amended.

Ms. Gorton made a motion, seconded by Mr. Scanlon, to suspend the rules and give second reading to the ordinance.

The motion failed to pass.

Mr. Moloney asked the Mayor about the process. **(LISTEN TO TAPE)**

The ordinance was ordered placed on file **FOR 2 WEEKS???(CHECK)** for public inspection.

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The following ordinances were given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Wigginton, Brown, Cegelka ----- 13

Nay: ----- 0

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Traffic Information Specialist, Grade 112E, and creating one (1) position of Crosstown Traffic Host, Grade 112E, in the Div. of Traffic Engineering.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Administrative Specialist Sr., Grade 112N, and creating one (1) position of Grants Administrative Aide, Grade 112N, in the Div. of Community Development.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Information Systems Specialist, Grade 111N, and creating one (1) position of Information Systems Specialist Sr., Grade 114E, and reclassifying the incumbent, in the Div. of Police, to be effective retroactive to March 16, 2005, and appropriating funds pursuant to Schedule No. 68.

An Ordinance amending Section 22-5 of the Code of Ordinances creating one (1) position of Medical Assistant, Grade 107N, in the Div. of Family Services, and appropriating funds pursuant to Schedule No. 69.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 67.

An Ordinance authorizing the Mayor to accept a donation of one thousand (\$1,000.00) dollars, from Humana, Inc. for Ballet Under the Stars and appropriating funds pursuant to Schedule No. 73.

An Ordinance authorizing the Mayor to accept a Grant from the U. S. Dept. of Justice, which grant funds are in the amount of \$2,720.01 Federal funds, are for the purchase of bullet proof vests, for the Div. of Police and Office of the Fayette County Sheriff, the acceptance of which obligates the Urban County Government for the expenditure of \$1,840.00, appropriating funds pursuant to Schedule No. 70, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute and submit a Grant Application to the Ky. Justice Cabinet, to provide any additional information requested in connection

with this grant application, and to accept this grant if the application is approved, which grant funds are in the amount of \$60,000.00 Federal funds, are for continuation of the Sexual Assault Nurse Examiner (S.A.N.E.) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$71,450.00 as a local match, appropriating funds pursuant to Schedule No. 71, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$270,400.00 Federal funds, are for the utility phase of the Loudon Avenue Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$67,600.00 as a local match, appropriating funds pursuant to Schedule No. 72, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Staff Assistant Sr., Grade 108N and amending Section 21-5 of the Code of Ordinances creating one (1) position of Staff Assistant Sr., Grade 108N, all within the Div. of Family Services, and appropriating funds pursuant to Schedule No. 74.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Social Services Coordinator, Grade 114E and creating one (1) position of Program Administrator, Grade 117E, and reclassifying the incumbent, in the Dept. of Social Services, to be effective retroactive to March 16, 2005, and appropriating funds pursuant to Schedule No. 54.

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 6.26 net (6.36 gross) acres of property located at 2470 Liberty Road, subject to certain use restrictions imposed as a condition of granting the zone change. (Joe Brester)

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An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds for The Hope Center Therapeutic Community Program, and appropriating and reappropriating funds, Schedule No. 76 was given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Cegelka ----- 11

Nay: Wigginton, Brown ----- 2

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The following ordinances were given first reading. Upon motion of \_\_\_\_\_ and seconded by \_\_\_\_\_, the rules were suspended by unanimous vote. The ordinances were given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Wigginton, Brown, Cegelka ----- 13  
Nay: ----- 0

An Ordinance amending Article 8-1(d) of the Zoning Ordinance so as to allow outdoor lighting in conjunction with certain outdoor recreational facilities located adjacent to the Blue Sky Rural Activity Center.

An Ordinance amending Ordinance No. 224-2005 to provide that the location of all council meetings, work sessions and council standing committee meetings scheduled to take place in Council Chambers through October 7, 2005, be held in the Third Floor Conference Room of the Phoenix Building, located at 101 East Vine Street.

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An Ordinance (a) authorizing the issuance of (I) Lexington-Fayette Urban County Government Adjustable Rate Industrial Building Revenue Bonds, Series 2005A (Roman Catholic Diocese of Lexington Project) in the aggregate principal amount not to exceed \$6,300,000, (II) Lexington-Fayette Urban County Government Adjustable Rate Industrial Building Revenue Bonds, Series 2005B (Roman Catholic Diocese of Lexington Project) in the aggregate principal amount not to exceed \$5,500,000, and (III) Lexington-Fayette Urban County Government Adjustable Rate Industrial Building Revenue Bonds, Series 2005C (Roman Catholic Diocese of Lexington Project) in the aggregate principal amount not to exceed \$5,000,000, (collectively, the “Bonds”); (b) approving and authorizing the execution and delivery of (I) a Master Trust Indenture between the Lexington-Fayette Urban County Government (the “Issuer”) and U. S. Bank National Association, as trustee, securing the bonds and supplements thereto for each series, (II) a Loan Agreement between the Issuer and Roman Catholic Diocese of Lexington (the “Diocese”), (III) a Bond Purchase Agreement among the Issuer, the Diocese and Fifth Third Securities, Inc., (IV) Tax Compliance Agreements between the Issuer and the Diocese, (V) a Preliminary Offering Circular and an Offering Circular relating to the issuance and sale of the bonds, and (VI) any and all other related documents; and (c) authorizing the taking of other related action was given second reading with a public hearing being held.

The Mayor opened the public hearing.

Mr. Bernard McCarthy, 515 Harry Street, asked the Mayor about the reasons for the bond issue.

Mr. Ken Sagan (**CHECK NAME**), bond attorney, Stites & Harbison, explained the reasons for the bonds.

There being no further citizens to appear before the Council, the Mayor declared the public hearing closed.

The ordinance passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Wigginton, Brown, Cegelka ----- 13  
Nay: ----- 0

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The following ordinances were given first reading.

Mr. Ellinger made a motion, seconded by Ms. Shafer and passed by unanimous vote, to have a Special Meeting on September 27, 2005 at 1:30 p.m. to given second reading to the ordinances.

An Ordinance authorizing the Mayor to accept a donation of nine thousand (\$9,000.00) dollars, from Friends of the Dog Park, Inc., for improvement of dog parks in Fayette County and appropriating funds pursuant to Schedule No. 75.

An Ordinance authorizing the Mayor to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the Urban Service District taxes for the 2005 property tax year, at a cost not to exceed \$350,000, and appropriating funds pursuant to Schedule No. 81.

The ordinances were ordered placed on file for public inspection until a Special Meeting to be held on September 27, 2005 at 1:30 p.m.

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An Ordinance authorizing the Mayor to execute an Amendment to the Agreement with the Friends of the Parks of Fayette County, Inc., for additional financial assistance for the construction of a 1700 linear foot trail in Dogwood Park, at a cost not to exceed \$20,000.00, and appropriating funds pursuant to Schedule No. 82 was given first reading.

Ms. Shafer made a motion, seconded by Ms. Gorton and passed by unanimous vote, to place the ordinance on the docket for the Special Meeting to be held on September 27, 2005 at 1:30 p.m.

The ordinance was ordered placed on file for public inspection until a Special Meeting to be held on September 27, 2005 at 1:30 p.m.

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The following ordinances were given first reading and ordered placed on file two weeks (CHECK) for public inspection.

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 24.42 net (24.77 gross) acres, and from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone for 2.34 net (2.67 gross) acres, for property located at 1055 Greendale Road and 1075 Greendale Road (a portion of). (Ball Homes, LLC.)

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 8.64 net (8.72 gross) acres, and from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone for 1.17 net (1.17 gross) acres, for property located at 803 Greendale Road and 2551 Leestown Road (a portion of). (Ball Homes, LLC)

An Ordinance changing the zone from a Two Family Residential (R-2) zone to a Townhouse Residential (R-1T) zone for 0.73 net (0.97 gross) acre, for property located at 408, 412, 416-418 and 422-426 South Mill Street. (WML Properties, LLC & South Hill Group, LLC)

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 77.

An Ordinance creating Section 3-28 of the Code of Ordinances of the Lexington-Fayette Urban County Government to mandate responsible beverage service training for any person who sells or serves alcoholic beverages, to prohibit the sale or service of alcoholic beverages by any person who has not satisfied the training requirements, to provide a sixty (60) day grace period; to require licensees to maintain records regarding the training requirements, and to establish the required contents of training programs; amending subsection (b) and creating subsection (k) of Section 3-26 of the Code of Ordinances of the Lexington-Fayette Urban County Government to establish a penalty for violations of Section 3-28 at a fine of not less than \$10.00 and not more than \$100.00. for each offense; effective six months from date of passage.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Environmental and Public Protection Cabinet, which grant funds are in the amount of \$149,690.44 Commonwealth of Ky. funds, are for continuation of the Anti-Litter Program, the acceptance of which obligates the Urban County Government for the expenditure of \$49,900.00 as a local match, appropriating funds pursuant to Schedule No. 78, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$132,000.00 Federal funds, are for the development of a Regional Bicycle and Pedestrian Plan, the acceptance of which obligates the Urban County Government for the expenditure of \$33,000.00 as a local match, appropriating funds pursuant to Schedule No. 79, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the issuance of Lexington-Fayette Urban County Government General Obligation Public Project Refunding Bonds, Series 2005 in an aggregate principal amount not to exceed \$63,000,000 to (I) currently refund the outstanding principal amount of Lexington-Fayette Urban County Government Public Facilities Corp. First Mortgage Revenue Bonds, Series 1995, the proceeds of which were used to finance the construction, renovation, installation and equipping of various pool and aquatic projects and (II) to refund in advance of maturity the outstanding principal amount of Lexington-Fayette Urban County Government General Obligation Bonds, Series 1999 (Lexington-Fayette County Detention Center Project), the proceeds of which were used to finance a detention center; approving a form of bond; authorizing designated officers to execute and deliver the bonds; providing for the payment and security of the bonds; creating a Bond Payment Fund and Escrow Funds; maintaining the heretofore established Sinking Fund; authorizing acceptance of the bid of the bond purchaser for the purchase of the bonds; authorizing an Escrow Trust Agreement; and repealing inconsistent ordinances.

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The following resolutions were given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Wigginton, Brown, Cegelka ----- 13



Nay: ----- 0

A Resolution accepting the bids of Gall's, Inc. and GT Distributors, Inc., establishing a price contract for emergency equipment, for the Div. of Police.

A Resolution accepting the bids of Traffic Control Products, Inc., Peachtree Telecommunications, Rexel Southland Electrical & Datacom, Commscope, Inc., of North Carolina and Anxiter, Inc., establishing a price contract for fiber optic cable and control equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of G4S Justice Services establishing a price contract for electronic monitoring system, for the Div. of Community Corrections.

A Resolution adopting an updated Expansion Area Exaction Rate Schedule for roads, parks, stormwater, open space, sewer transmission, and sewer capacity to reflect actual and/or contracted costs for eligible system improvements, for the Depts. of Finance and Public Works and the Divs. of Planning and Engineering.

A Resolution authorizing the Mayor to execute an amendment to Agreement with Young Men's Christian Association of Central Ky., Inc. (YMCA), for continued provision of services under the 21<sup>st</sup> Century Community Learning Center Project for an additional year, at a cost not to exceed \$949.00.

A Resolution authorizing the Mayor to execute Amendments to Agreements with the Ky. Transportation Cabinet, extending the terms of the Agreements for the West Hickman Trail Project, the Traffic Control Project, and the ITS Traffic Signal Installation Project to June 30, 2006, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Hall-Harmon Engineers, Inc., for the Alumni Drive Turn Lane Project design, increasing the contract price by the sum of \$7,152.13 from \$29,500.00 to \$36,652.13.

A Resolution ratifying the probationary civil service appointments of: Phillip Finley, Custodial Worker, Grade 102N, \$11.083 hourly, in the Div. of Building Maintenance and Construction, effective September 19, 2005; Kathryn Tattershall Harvey, Administrative Specialist Sr., Grade 112N, \$16.098 hourly, in the Div. of Family Services, effective September 5, 2005; Jamison Owens, Communications Officer, Grade 111N, \$14.557 hourly, in the Div. of Police, effective September 19, 2005; Charles J. Douglas, Skilled Trades Worker, Grade 111N, \$18.860 hourly, in the Div. of

Building Maintenance and Construction, effective September 19, 2005; Joseph Hutchinson, Equipment Operator Sr., Grade 109N, \$13.582 hourly, in the Div. of Streets, Roads & Forestry, effective September 19, 2005; Robert Austin, Equipment Operator, Grade 108N, \$14.553 hourly, in the Div. of Sanitary Sewers, effective September 19, 2005; Donald Warner, Equipment Operator, Grade 108N, \$16.226 hourly, in the Div. of Sanitary Sewers, effective September 19, 2005; Aaron Johnson, Equipment Operator Sr., Grade 109N, \$12.135 hourly, in the Div. of Sanitary Sewers, effective September 19, 2005; Delores D. Miller, Custodial Worker, Grade 102N, \$10.487 hourly, in the Div. of Building Maintenance & Construction, effective September 19, 2005; Debra Bright, Buyer, Grade 112E, \$1,439.36 bi-weekly, in the Div. of Purchasing, effective September 19, 2005; Pamela Perry, Buyer, Grade 112E, \$1,406.88 bi-weekly, in the Div. of Purchasing, effective September 19, 2005; ratifying the permanent civil service appointments of: Sam Williams, Municipal Engineer Sr., Grade 119E, in the Div. of Engineering, effective September 7, 2005; Donna Sayre, Communications Officer Sr., Grade 113N, in the Div. of Police, effective July 10, 2005; ratifying the probationary sworn appointments of: Mark Blankenship, Fire Captain, Grade 316N, \$1,559.84 bi-weekly, in the Div. of Fire, effective August 10, 2005; Jason Tuttle, Fire Lieutenant, Grade 315N, \$1,179.92 bi-weekly, in the Div. of Fire, effective August 10, 2005; approving leave of absence for: Janet Vannatta, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, request one day leave of absence without pay effective August 28, 2005; Suzanne Taylor, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, request a 90 day leave of absence without pay, effective September 14, 2005 through December 12, 2005; approving the unclassified civil service appointment of: Jarrod Jones, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective September 19, 2005.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying a permanent sanitary sewer easement from Delong Concrete, LLC, located at 1316 Cahill Drive, for the Wolf Run Sanitary Sewer Project, and authorizing payment in the amount of \$6,750.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute Agreements with the Bluegrass Technology Center, Inc. (\$675.00), Act Ministries, Inc. (\$300.00), and Bluegrass

Aspendale Neighborhood Assoc., Inc. (\$500.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute an Agreement with the Fayette County Commonwealth Attorney's Office, for the Fast Track and Major Violator Prosecution Programs of the Street Sales Enforcement Project, at a cost not to exceed \$34,590.00.

A Resolution authorizing the Mayor to execute an Agreement with the University of Ky. Children's Hospital, for the Pediatric After-Hours Care Program, for the Family Care Center, at a cost not to exceed \$150.00 per month plus \$5.00 per pediatric triage phone call.

A Resolution authorizing the Mayor to execute a Lease Agreement with the National Alliance for the Mentally Ill (NAMI), for its use of space at the Black and Williams Neighborhood Center.

A Resolution authorizing the Mayor to execute a Rental Agreement with Lexington Center Corp., for rental of the Lexington Opera House, for the Kiddie Kaper Dance Recital scheduled for April 20-22, 2006, at a cost not to exceed \$6,500.00.

A Resolution authorizing the Mayor to execute a License Agreement with Midnight Terror Productions, LLC, for the annual Halloween Event at Jacobson Park scheduled for October 7-9, 14-16, 21-23, and 27-31, 2005, at no cost to the Government.

A Resolution authorizing the Mayor to execute an Agreement with U. S. Geological Survey, for continued ongoing maintenance of stream flow and rain gauges, at a cost not to exceed \$103,250.00.

A Resolution authorizing the Mayor to execute Change Order No. 2 to the Contract with Spectrum Contracting Services, Inc., for renovation of the 4<sup>th</sup> Floor, Phoenix Building, increasing the contract price by the sum of \$3,292.00 from \$321,027.00 to \$324,319.00.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; which area is defined as certain properties on the following streets: East Vista Street, Lauren Way and Dardanelles Drive.

A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District to provide street lighting, street cleaning and garbage and refuse collection; which area is defined as certain properties on the following

streets: Alysheba Way; Tucker, David & Anna Prop., Andover Creek Lane; Newmarket, Phase 1, Unit 1-A, Angus Trail; Chesapeake Equine Prop., Unit 1, Applecross Drive; Chesapeake Equine Prop., Unit 2, Applecross Drive; Hamburg Place Comm. Dev., Phase 2, Astarita Way; Magna Entertainment Corp., Phase 1, Atoma Drive; Masterson-Depriest Unit 1-H, Bay Colony Lane; Masterson Station Unit 11-F, Bay Colony Lane; Waveland Estates, Unit 1-A, Baylor Place; Newmarket, Unit 4-C, Beaten Path; Newmarket Unit 4-A, Beaten Path; Coons Prop. Unit 12-B, Bella Dona Road; Coons Prop. Unit 12-C, Bella Dona Road; Coons Prop. Unit 12-D, Bella Dona Road; Masterson Station Unit 11-H, Belle Haven Place; Highland Lakes, Unit 8-A, Biltmore Place; Blackford Prop., Phase 1, Unit 4-E, Blackford Parkway; Blackford Prop., Phase 1, Unit 4-B, Bledsoe Place; Denton Farms, Inc., Unit 1-D, Branham Park; Denton Farms, Inc., Unit 1-E, Branham Park; Denton Farms, Inc., Unit 1-F, Branham Park; Newmarket, Unit 4-A, Brick House Lane; Newmarket, Unit 4-B, Brick House Lane; Newmarket, Phase 1, Unit 1-A, Brick House Lane; Hamburg Place Farm Lot 5, Bryant Road; Gess Prop., Unit 13-A, Burgin Pass; Tuscany, Unit 1-D, Carducci Street; Coons Prop. Unit 12-A, Chas Drive; Blackford Prop., Phase 1, Unit 4-E, Cherry Meadow Path; Blackford Prop., Phase 1, Unit 4-F, Cherry Meadow Path; Richardson Prop., Unit 3, Chilesburg Road; Pinnacle Unit 2-E Lot 1, Clearwater Way; Blackford Prop., Phase 2, Unit 1-A, Constantine Avenue; Masterson Station Unit 11-G, Corbin Walk; Masterson Station Unit 11-F, Corbin Walk; Tuscany, Unit 1-D, Coroneo Lane; Tuscany, Unit 1-B, Coroneo Lane; Burke, Hockensmith & Maggard, Unit 1-B, Lot 3, Blk C, Danforth Drive; Dotson Prop., Unit 1-C, Day Lily Drive; Dotson Prop., Unit 1-B, Day Lily Drive; Dotson Prop., Unit 1-A, Day Lily Drive; Highland Lakes, Unit 8-B, Deltino Court; Blackford Prop., Phase 2, Unit 1-B, Drexel Pass; Gess Prop., Unit 13-B, Drifter Way; Denton Farms, Inc., Unit 1-A, Ellerslie Park Boulevard; Denton Farms, Inc., Unit 1-B, Ellerslie Park Boulevard; Richardson Prop., Unit 4, Sec. 4, Emilie Lane; Sunny Slope Farm, Sec. 1, Unit 1-A, Everetts Dale; Hamburg Place Comm. Dev., Phase 2, Flying Ebony Drive; Pinecrest Subd., Unit 1-A, Foleys Trail; Pinecrest Subd., Unit 1-B, Foleys Trail; Hamburg Place Comm. Dev., Phase 2, Franks Way; Gess Prop., Unit 13-C, Gillmoss Lane; Gess Prop., Unit 13-D, Gillmoss Lane; Blackford Prop., Phase 1, Unit 4-C, Glengarth Park; Dotson Prop., Unit 1-F, Goldenrod Lane; Dotson Prop., Unit 1-D, Goldenrod Lane; Dotson Prop., Unit 1-C, Goldenrod Lane; Blackford Prop., Phase 1, Unit 4-D, Gooseberry Circle; Denton Farms, Inc., Unit 1-C, Grassland Park; Denton Farms,

Inc., Unit 1-D, Grassland Park; Hillenmeyer Prop, Greendale Road; Pinecrest Subd., Unit 1-E, Harlan Circle; Sharkey Property, Unit 1 Lot 8, Hatter Lane; Richardson Property, Unit 3, Hays Boulevard; Hamburg Place Comm. Dev., Phase 2, Healy Lane; Sunny Slope Farm, Unit 2-C, Hollyberry Lane; Sunny Slope Farm, Unit 2-E, Hollyberry Lane; Sunny Slope Farm, Unit 2-F, Hollyberry Lane; Richardson Prop., Unit 4, Sec. 4, Holmes Way; Horsemint Trail; Burke, Hockensmith & Maggard, Unit 1-B, Lot 3, Blk C, Jaggie Fox Way; Richardson Prop. Unit 4, Jane Briggs Avenue; Coons Prop. Unit 12-B, Jasmine Rose Way; Coons Prop. Unit 12-C, Jasmine Rose Way; Coons Prop. Unit 12-D, Jasmine Rose Way; Coons Prop. Unit 12-A, Jasmine Rose Way; Masterson-Depriest Unit 1-H, Jenna Rest; Masterson Station Unit 11-G, Jenna Rest; Waveland Estates, Unit 1-B, Joseph Brian Way; Waveland Estates, Unit 1-C, Joseph Brian Way; Chesapeake Equine Prop., Unit 1, Keirfield Court; Denton Farms, Inc., Unit 1-E, Kelburn Court; Chesapeake Equine Prop., Unit 1, Killean Court; Magna Entertainment Corp., Phase 1, Konner Woods Drive; Gess Prop., Unit 14-C, Lanarkshire Place; Gess Prop., Unit 14-B, Lanarkshire Place; Gess Prop., Unit 14-C, Larkhill Lane; Denton Farms, Inc., Unit 1-A, Leighton Lane; Coons Prop. Unit 12-B, Lemon Rue Way; Coons Prop. Unit 12-C, Lemon Rue Way; Coons Prop. Unit 12-A, Lemon Rue Way; Coons Prop. Unit 12-D, Lemon Rue Way; The Glen @ Lochdale, Unit 2-F, Lots 132 & 134, Lochdale Terrace; Waveland Estates, Unit 1-B, Lochdale Terrace; Waveland Estates, Unit 1-A, Lochdale Terrace; Richardson Prop. Unit 4, Logans Fort Lane; Richardson Prop., Unit 4, Sec. 4, Logans Fort Lane; Chesapeake Equine Prop., Unit 2, Lonan Court; Marshall Prop., Unit 2-G, Long Branch Lane; Gess Prop., Unit 14-B, Lotus Lane; Sharkey Prop., Unit 1, Louie Place; Sharkey Prop. (Amd) Unit 1, Lot 1, Louie Place; Dotson Prop., Unit 1-F, Lucille Drive; Dotson Prop., Unit 1-G, Lucille Drive; Dotson Prop., Unit 1-B, Lucille Drive; Dotson Prop., Unit 1-A, Lucille Drive, Lupine Lane; Hillenmeyer Prop, Mable Lane; Blackford Prop., Phase 2, Unit 1-A, Mahala Lane; Blackford Prop., Phase 2, Unit 1-B, Mahala Lane; Blackford Prop., Phase 2, Unit 1-C, Mahala Lane; Masterson-Depriest Unit 1-G, Majestic View Cove; Masterson Station Unit 11-H, Majestic View Walk; Masterson Station Unit 11-G, Majestic View Walk; Masterson Station Unit 11-F, Majestic View Walk; Masterson-Depriest Unit 1-G, Majestic View Walk; Masterson-Depriest Unit 1-H, Majestic View Walk; Blackford Prop., Phase 1, Unit 4-C, Man O War Boulevard; Mannington Place; Manny Oaks Park; Gess Prop., Unit 14-B, Marcus Trail; Gess Prop., Unit 12-D, Marcus Trail; Gess Prop., Unit 12-E, Marcus Trail;

Gess Prop., Unit 14-B, Maxon Way; Anderson Prop., Unit 3, Chilesburg Road @ Still Meadow, Mist Flower Lane; Gess Prop., Unit 13-C, Moonstar Court; Dotson Prop., Unit 1-E, Mountain Laurel Circle, Mountain Laurel Way; Dotson Prop., Unit 1-F, Mountain Laurel Way; Dotson Prop., Unit 1-G, Mountain Laurel Way; Dotson Prop., Unit 1-B, Mountain Laurel Way; Chesapeake Equine Prop., Unit 1, Mulundy Way; Webb Properties Unit 1, Norman Lane; Hamburg Place Comm. Dev., Phase 2, Ogden Way; Hamburg Place Comm. Dev., Phase 2-A, Multi-Family Res., Ogden Way, Old Rosebud Road; Hamburg Place Farm Sir Barton Way Office Lots B Thru J, Old Rosebud Road; Denton Farms, Inc., Unit 1-A, Ormesby Place; Wellington Way LLC, Palomar Centre Drive; Gess Prop., Unit 14-C, Parsons Lane; Tuscany, Unit 1-C, Pascoli Place; Tuscany, Unit 1-D, Pascoli Place; Marshall Prop., Unit 2-G, Peaks Mill Drive; Gess Prop., Unit 13-A, Pearl Cove; Gess Prop., Unit 12-D, Pebble Brook Circle; Gess Prop., Unit 12-C, Pebble Brook Circle; Pinecrest Subd., Unit 1-D, Pine Ridge Way; Pinecrest Subd., Unit 1-C, Pine Ridge Way; Pinecrest Subd., Unit 1-E, Pinecrest Way; Pinecrest Subd., Unit 1-D, Pinecrest Way; Pinecrest Subd., Unit 1-C, Pinecrest Way; Hamburg Place Farm (Plaudit Place Comm. Dev.) Lot 5, Plaudit Place, Pleasant Ridge Drive; Magna Entertainment Corp., Phase 1, Polk Lane; Sikura-Justice Prop., Unit 6, Polo Club Boulevard; Newmarket, Phase 1, Unit 1-C, Polo Club Boulevard; Newmarket, Unit 4-C, Polo Club Boulevard; Newmarket, Phase 1, Unit 1-A, Polo Club Boulevard; Newmarket, Unit 4-A, Polo Club Boulevard; Sunshine Prop., Lots 1-4, Polo Club Boulevard; Hamburg Place Comm. Dev., Phase 2, Princess Doreen Drive; Highland Lakes, Unit 8-A, Ravenna Lane; Dotson Prop., Unit 1-E, Red Clover Lane; Dotson Prop., Unit 1-D, Red Clover Lane; Dotson Prop., Unit 1-C, Red Clover Lane; Kirklevington South Unit 2 Lots 2 & 3, Redding Road; Richardson Prop. Unit 4, Richardson Place; Tucker, David & Anna, Ridge View Way; Gess Prop., Unit 13-A, Rivard Lane; Gess Prop., Unit 13-B, Rivard Lane; Hamburg Place Comm. Dev., Phase 2, Rockminster Road; Tuscany, Unit 1-B, Rossini Place; Tuscany, Unit 1-C, San Milano Place; Hillenmeyer Prop, Sandersville Road; Masterson-Depriest Unit 1-G, Satin Leaf Park; Blackford Prop., Phase 1, Unit 1-E, Sec 2, Scottish Trace; Blackford Prop., Phase 2, Unit 1-A, Scottish Trace; Blackford Prop., Phase 1, Unit 4-C, Scottish Trace; Blackford Prop., Phase 1, Unit 4-B, Scottish Trace; Blackford Prop., Phase 1, Unit 1-E Sec 2, Scottish Trace; Sharkey Prop., Unit 1, Sharkey Way; Marehaven, Unit 3, Silver Mare Court; Hamburg Place Farm Sir Barton Way Office Lots B Thru J, Sir Barton Way; Hamburg Place Farm, Sir Barton Way

Office Park, Sir Barton Way; Sir Barton Way; Tuscany, Unit 1-C, Sir Barton Way; Denton Farms, Inc., Unit 1-A, Somersly Place; Denton Farms, Inc., Unit 1-B, Somersly Place; Highland Lakes, Unit 8-C, SouthPoint Drive; Kirklevington South Unit 2 Lots 2 & 3, Spangler Drive; Gess Prop., Unit 13-D, Sperling Drive; Pinecrest Subd., Unit 1-A, Spring Run Road; Pinecrest Subd., Unit 1-D, Spring Run Road; Sunny Slope Farm, Sec. 1, Unit 1-A, Sprucewood Drive; Dotson Prop., Unit 1-G, Spurr Road; Marehaven, Unit 3, Stallion Run; Gess Property, Unit 12-C, Stansberry Cove; Star Shoot Parkway; Hamburg Place Community, Phase 2, Condo-Residential, Star Shoot Parkway; Hamburg Place Comm., Phase 2, Condo. Res., Lot 1, Sec. 1, Star Shoot Parkway; Anderson Prop., Unit 3, Chilesburg Road @ Still Meadow, Still Meadow Lane; Newmarket, Phase 1, Unit 1-A, Stolen Horse Trace; Richardson Property, Unit 3, Stuart Hall Boulevard; Sundrop Path; Sunny Slope Farm, Unit 2-D, Sunny Slope Trace; Sunny Slope Farm, Unit 2-C, Sunny Slope Trace; Sunny Slope Farm, Unit 2-G, Sunny Slope Trace, Sweetspire Drive; Sunny Slope Farm, Unit 2-F, Sweetspire Drive; Denton Farms, Inc., Unit 1-B, Tatton Park; Denton Farms, Inc., Unit 1-C, Tatton Park; Denton Farms, Inc., Unit 1-E, Tatton Park; Blackford Prop., Phase 1, Unit 4-F, Thistle Park; Blackford Prop., Phase 1, Unit 1-D Sec 2, Timberneck Cove; Marshall Prop., Unit 2-H, Town Branch Cove, Town Branch Road; Marshall Prop., Unit 2-G, Town Branch Road; Gess Property, Unit 12-C, Tradewind Way; Marehaven, Unit 3, Trailwood Lane; Gess Prop., Unit 13-B, Turtle Creek Cove, Turtle Creek Way; Gess Prop., Unit 13-C, Turtle Creek Way; Hamburg Place Community, Phase 2, Condo-Residential, Village Green Avenue; Hamburg Place Comm., Phase 2, Condo. Res., Lot 1, Sec. 1, Village Green Avenue; Webb Properties Unit 1, West Lowry Lane; Wellington Way LLC, Wellington Way; Magna Entertainment Corp., Phase 1, Willis Drive; Gess Prop., Unit 13-D, Willman Way; Gess Prop., Unit 12-E, Willman Way; Masterson-Depriest Unit 1-F Section 2, Winding Oak Trail; Highland Lakes, Unit 8-C, Windstar Way; Highland Lakes, Unit 8-A, Windstar Way; Highland Lakes, Unit 8-B, Windstar Way; Waveland Estates, Unit 1-C, Winthrop Drive; Sunny Slope Farm, Unit 2-A, Winthrop Drive; Sunny Slope Farm, Unit 2-B, Winthrop Drive; Sunny Slope Farm, Unit 2-G, Wyndham Hills Drive; Sunny Slope Farm, Unit 1-E, Wyndham Hills Drive; Marehaven, Unit 3, Yearling Circle; Sunny Slope Farm, Unit 2-C, Yellowwood Trace; Sunny Slope Farm, Unit 2-D, Yellowwood Trace; Sunny Slope Farm, Unit 2-E, Yellowwood Trace; The Glen @ Lochdale, Unit 4-A, Goldon Trophy Trail; Literary Circle; The Glen @ Lochdale, Unit 4-C,

Lochdale Terrace; Waveland Estates, Lot 71, Lochdale Terrace; Pinecrest Subd., Unit 1-E, Pine Ridge Way; Pinecrest Subd., Unit 1-D, Pine Ridge Way; Sikura-Justice Prop., Unit 6, Polo Club Lane; Todds Road; and The Glen @ Lochdale, Unit 4-C, Twin Spires Trail.

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A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Robert and Leona Monson, located at 551 Anniston Drive, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$4,775.00, plus usual and appropriate closing costs was given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Scanlon,  
Shafer, Stinnett, Wigginton, Brown, Cegelka ----- 12  
Nay: Moloney ----- 1

\* \* \*

A Resolution authorizing the Mayor to execute a Purchase Agreement, to accept a Deed of Temporary Construction Easement, to execute the Certificate of Consideration and to accept a General Warranty Deed and to execute and accept any other necessary documents, all from the Lexington-Fayette Urban County Housing Authority for the Bluegrass-Aspendale Blvd., at no cost to the Urban County Government was given second reading.

**ADD IN FROM THE NOTES**

The resolution passed by the following vote:

Aye: DeCamp, Ellinger, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Wigginton, Brown, Cegelka ----- 12  
Nay: Farmer ----- 1

\* \* \*

A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with CNOTP Railway Co., for right-of-way and track relocation work for the West Reynolds Road Project, increasing the contract price by the sum of \$37,681.09 from \$1,257,440.00 to \$1,295,121.09 was given second reading and passed by the following vote:

Aye: DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney,  
Scanlon, Shafer, Stinnett, Wigginton, Cegelka ----- 12  
Nay: Brown ----- 1

\* \* \*

The following resolutions were given first reading.



Mr. Farmer made a motion, seconded by Ms. Shafer and passed by majority vote, to place the resolutions on the docket for the Special Meeting to be held on September 27, 2005 at 1:30 p.m.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Governor's Office for Local Development as a co-applicant with the Bluegrass Water Supply Commission (BWSC) and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$1,000,000.00 Commonwealth of Ky. funds, and are for the Potable Water Transmission Line Project, and further providing that such authorization for the Urban County Government to be a co-applicant for the grant does not infer that the Urban County Government has approved a business and financial plan for the Potable Water Transmission Line Project.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Bluegrass Area Development District on behalf of the Arboretum and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$880,000.00 Commonwealth of Ky. funds from the Ky. Economic Growth Grant Program, and is for construction of the Ky. Children's Garden.

A Resolution authorizing the execution of a Memorandum of Agreement between Lexington-Fayette Urban County Government and Roman Catholic Diocese of Lexington, a non-profit organization relating to (I) the acquisition, construction, equipping and installation of a school building and renovations to the existing building at Mary Queen of the Holy Rosary School, (II) the acquisition, construction, equipping and installation of an elementary school at St. Elizabeth Ann Seton Catholic School, and (III) the acquisition, construction, equipping and installation of additions to Sts. Peter and Paul Elementary School and Middle School, all to be located in the Urban County (collectively, the "Projects"); agreeing to undertake the issuance of Lexington-Fayette Urban County Adjustable Rate Industrial Building Revenue Bonds in an aggregate amount not to exceed \$16,800,000 at the appropriate time to pay for costs of the Projects; and taking other preliminary action.

A Resolution accepting the price quote of Foam Enterprises, LLC, for foam insulation at the Lexington-Fayette Urban County Government Multipurpose Facility, in an amount not to exceed the sum of \$39,100.00.

A Resolution accepting the price quote of Burge Spray Foam, for installation of insulation at the Lexington-Fayette Urban County Government Multipurpose Facility, in an amount not to exceed the sum of \$31,984.35.

A Resolution approving the FY 2006 Budget of the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and authorizing the Commissioner of Finance to disburse the funds to LexTran collected from the ad valorem tax approved by voters on November 9, 2004.

A Resolution authorizing the Mayor to execute a Group Sales Agreement with Hyatt Regency Lexington, for Bluegrass Invitational Wheelchair Basketball Tournament, at a cost not to exceed \$2,800.

A Resolution authorizing the Mayor to execute an Agreement with Friends of the Parks of Fayette County, Inc., for reimbursable financial assistance to construct a 1700 linear foot trail in Dogwood Park, at a cost not to exceed \$67,500.

A Resolution authorizing the Mayor to execute a Contract with the Insurance Company of Pennsylvania (AIG) for Excess General Liability, Excess Automobile Liability, Excess Public Official's Liability and Excess Law Enforcement Liability Insurance at a cost not to exceed \$512,738.00 and authorizing payment to Marsh USA on behalf of the Insurance Company of Pennsylvania (AIG).

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The following resolutions were given first reading and ordered placed on file two weeks (**CHECK**) for public inspection.

A Resolution accepting the bid of Bluegrass Fire Equipment establishing a price contract for fire hose, for the Div. of Fire.

A Resolution accepting the bid of Ulrich Chemical, Inc., establishing a price contract for odor control chemicals, for the Div. of Sanitary Sewers.

A Resolution accepting the bid of YMCA of Central Ky. establishing a price contract for health/fitness facility, for the Div. of Fire.

A Resolution accepting the bid of Ready Mix Concrete establishing a price contract for wet mix concrete, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Worldwide Equipment establishing a price contract for dual drive cabs and chassis, for the Div. of Fleet Services.

A Resolution accepting the bid of Tri State Utility Sales & Service, Inc., in the amount of \$7,757.00, for contractor style truck body, for the Div. of Fleet Services.

A Resolution accepting the bid of Pierce Manufacturing, Inc., in the amount of \$833,042.00, for triple combination pumper truck, for the Div. of Fire.

A Resolution accepting the bid of Ladukes Irrigation/Diamond Pro establishing a price contract for baseball field drying conditioner, for the Div. of Parks.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of Permanent Storm Sewer Easement and Temporary Construction Easement from Chad and Gina Warren located at 136 Suburban Court, for the Dantzler Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$1,500.00, plus usual and appropriate closing costs.

A Resolution rescinding Resolution No. 353-2005 and terminating the Agreement approved therein, and authorizing the Mayor to execute an Agreement with Ky. Alltel, Inc. (d.b.a./a.k.a. Alltel Communications, Inc.), for non-emergency 3-1-1 service for an initial term of three (3) years, at a cost not to exceed \$3,920.00.

A Resolution authorizing the Mayor to execute an Agreement with Hill-N-Dale Neighborhood Association, Inc. (\$800.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing the Mayor to execute a Clinical Services Agreement with the University of Ky., for the provisions of dental health services to clients of the Family Care Center by the College of Dentistry, at a cost not to exceed \$208,036.00.

A Resolution ratifying the probationary civil service appointments of: T. J. Taylor, Engineering Technician Sr., Grade 113E, \$1,712.56 bi-weekly, in the Div. of Sanitary Sewers, effective October 3, 2005, Bethany Todd, Administrative Specialist, Grade 110N, \$12.220 hourly, in the Div. of Government Communications, effective October 3, 2005, Sara Morris, Communications Officer Sr., Grade 113N, \$16.166 hourly, in the Div. of Police, effective September 19, 2005, Lesley A. Powell, Communications Officer Sr., Grade 113N, \$15.737 hourly, in the Div. of Police, effective September 19, 2005, Evelyn Mace, Probation Unit Supervisor, Grade 113E, \$1,481.12 bi-weekly, in the Div. of Community Corrections, effective September 19, 2005, Amanda Massey, Staff Assistant Sr., Grade 108N, \$11.103 hourly, in the Div. of Revenue, effective October 3, 2005, Wayne Wallen, Public Service Worker Sr., Grade 107N, \$12.146 hourly, in the Div. of Streets, Roads & Forestry, effective October 3, 2005, Stephen Parker, Municipal Engineer Sr., Grade 119E, \$2,050.00 bi-weekly, in the Div. of Engineering, effective October 3,

2005, Betty Jo Hash, Administrative Specialist Sr., Grade 112N, \$17.722 hourly, in the Dept. of Law, effective September 12, 2005, William Mabson, Jr., Equipment Operator Sr., Grade 109N, \$13.485 hourly, in the Div. of Solid Waste, effective October 3, 2005; ratifying the permanent civil service appointments of: Warren A. Moore, Information System Specialist, Grade 111N, in the Div. of Fire, effective September 14, 2005, Angelia Dixon, Administrative Specialist Sr., Grade 112N, in the Dept. of Law, effective August 14, 2005, Michael Horn, Attorney Sr., Grade 121E, in the Dept. of Law, effective September 7, 2005, Carolyn Zerga, Attorney Sr., Grade 121E, in the Dept. of Law, effective September 7, 2005, Wayne Wallen, Parking Meter Repair Worker, Grade 104N, in the Div. of Revenue, effective May 22, 2005, John S. Walker, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, effective July 10, 2005, Margaret Nesbitt, Human Resources Analyst, Grade 115E, in the Div. of Human Resources, effective June 15, 2005, James Dodson, Human Resources Analyst, Grade 115E, in the Div. of Human Resources, effective June 15, 2005, John F. Hoagland, Code Enforcement Officer, Grade 113N, in the Div. of Building Inspection, effective October 4, 2005, Cynthia Relford, Staff Assistant Sr., Grade 108N, in the Div. of Solid Waste, effective July 24, 2005; ratifying the probationary sworn appointments of: James Wright, Police Sergeant, Grade 315N, \$23.934 hourly, in the Div. of Police, effective September 5, 2005, Jonathan Sherrod, Police Lieutenant, Grade 317E, \$2,429.52 bi-weekly, in the Div. of Police, effective September 5, 2005; approving leave of absence for: Roderick Vinegar, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, request a 90 day Council leave of absence without pay effective September 26, 2005 through December 24, 2005, Suzanne Taylor, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, request a 90 day Council leave of absence without pay effective September 14, 2005 through December 12, 2005; approving the unclassified civil service appointment of: Calvin Banks, Staff to Council II, Grade 000E, \$1,923.08 bi-weekly, in the Office of the Urban County Council, effective July 18, 2005, Dina R. Melvin, Staff to Council II, Grade 000E, \$1,346.15 bi-weekly, in the Office of the Urban County Council, effective September 12, 2005.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Transportation Cabinet and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$200,000.00

Federal funds, and are for the Hazard Elimination and Safety Program along the US 27 Corridor in Fayette County.

A Resolution authorizing the Dept. of Law to accept a Deed of Temporary Construction Easement from Michael and Susan Marcum, 854 East Loudon Avenue for the Loudon Avenue Improvement Project, at a cost not to exceed \$125.00 and authorizing the Mayor to execute a Consideration Certificate.

A Resolution authorizing the Dept. of Law to execute a Deed of temporary construction easement and permanent utility easement with Ky. Utilities Co. for the property located at 424 Speigle Street (Speigle Park), at no cost to the Urban County Government.

A Resolution authorizing the Dept. of Law to accept a Deed conveying a temporary construction easement, permanent traffic signal easement and fee simple right of way from Russell Lundgren, Kimberly Lundgren Hamlin, Richard Hamlin, and Sharon Lundgren, for property located at 825 East Loudon Avenue, for the Loudon Avenue Improvements Project, and authorizing payment in the amount of \$2,475.00, plus usual and appropriate closing costs and authorizing the Mayor to execute a Consideration Certificate.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of permanent storm sewer easement and temporary construction easement from Carrie Miano located at 139 Suburban Court, for the Dantlzer Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$525.00, plus usual and appropriate closing costs.

A Resolution approving the granting of an Inducement to Aramark Uniform and Career Apparel (AUCA) pursuant to the Ky. Jobs Development Act, by allowing all of its employees whose jobs have been deemed by the Ky. Jobs Development Authority to have been created as a result of Aramark Uniform and Career Apparel (AUCA) expanding its Fayette County facility at 1340 Russell Cave Road and who are paying the service and technology job creation assessment fee to have their occupational license fee reduced by one-fifth (1/5) of the assessment fee for a term of not longer than ten (10) years from the activation date established by Aramark Uniform and Career Apparel (AUCA), subject to the limitations contained in the Ky. Jobs Development Act; and taking other related action.

A Resolution approving the granting of an Inducement to Affiliated Computer Services (ACS) pursuant to the Ky. Jobs Development Act, by allowing all of its employees whose jobs have been deemed by the Ky. Jobs Development Authority to have been created as a result of Affiliated Computer Services (ACS) expanding its Fayette County facility at the former Yum Brands Building and who are paying the service and technology job creation assessment fee to have their occupational license fee reduced by one-fifth (1/5) of the assessment fee for a term of not longer than ten (10) years from the activation date established by Affiliated Computer Services (ACS), subject to the limitations contained in the Ky. Jobs Development Act; and taking other related action.

A Resolution amending Resolution No. 457-2005 to direct that the recommendations sent to the Ky. Dept. of Intergovernmental Programs for the 2005-2006 Bond Program shall be the 12<sup>th</sup> Street, Clays Mill Road Phase I, Fontaine at Chinoe, Lansdowne at Reynolds Road, Pine Needles, and eligible road improvement projects in the 12 council districts, with an estimated cost of \$3,319,401.

A Resolution amending section 2 of Resolution No. 311-2005 to correct the amount of consideration to be paid for the temporary construction easement from \$620.00 to \$625.00.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate the Preakness Drive area as being prohibited to thru trucks; authorizing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-52 and 18-67, to designate all of Anniston Drive as being subject to a 25 mph speed limit; authorizing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate all streets within the Arbors Subdivision as being prohibited to thru trucks; authorizing the Div. of Traffic Engineering to install proper and appropriate signs at all entrances to said subdivision in accordance with the designation.

A Resolution authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of Lexington-Fayette Urban County Government General Obligation Public Project Refunding Bonds, Series 2005 in an aggregate principal amount not to exceed \$63,000,000.

A Resolution authorizing the Mayor to execute a Statement of Compliance with Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements.

A Resolution authorizing the Mayor to execute and submit an Application to the Ky. Dept. of Education for approval to provide preschool education services at the Family Care Center through Fayette County Public Schools.

A Resolution authorizing the Mayor to execute a Memorandum of Understanding with the Cabinet for Health and Family Services, for safeguarding confidential information of clients in Public Assistance Programs.

A Resolution authorizing the Mayor to execute an Agreement with R. J. Corman Railroad Company/Central Ky. Line, LLC, for reimbursement of costs associated with a sanitary sewer relocation at the Manchester Street Railroad Crossing, at a cost not to exceed \$104,767.85.

A Resolution authorizing the Mayor to execute a Professional Services Agreement with Abdul Quayyum for professional services as an independent contractor selected to serve as the Enterprise Resource Planning (ERP) Project Manager, at a cost not to exceed \$150,000 annually.

A Resolution authorizing the Mayor to execute Agreements with Lexington Heritage Football Classic, Inc. (\$250.00), Park Place Neighborhood Association, Inc. (\$1,000.00), and Bluegrass Miracle League, Inc. (\$4,000.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute Rural and Inner City Adopt-A-Spot Program Agreements with St. Andrews United Methodist Church, BSA #220, (\$1,304.12), Porter Memorial Baptist Church (\$1,332.32), Bluegrass Chapter Order of Demolay (\$1,103.60), Aldersgate Methodist Church, BSA #59 (\$1,567.20), Immanuel Baptist Church, BSA #41 (\$1,231.68), Mary Queen of the Holy Rosary, BSA #282 (\$1,265.40), Rosemont Baptist Church, BSA #98 (\$1,157.40), Beaumont Presbyterian, BSA #279 (\$1,038.28), Christian Youth Fellowship (\$1,942.51), Phillips Memorial Church (\$2,191.56), Tates Creek HS Lacrosse Club (\$522.98), U. S. Naval Sea Cadet

Corp. (\$772.00), Boy Scout Troop #103 (\$298.85), Boy Scout Troop #13 (\$1,992.32), Boy Scout Troop #186 (\$273.95), Boy Scout Troop #382 (\$448.27), and Boy Scout Troop #246 (\$636.12), for services, at a cost not to exceed \$19,078.56.

A Resolution authorizing the Mayor to execute a Utility Relocation Reimbursement Agreement with Ky. Utilities Co., for the Loudon Avenue Improvement Project, at a cost not to exceed \$6,490.37.

A Resolution authorizing the Mayor to execute a Renewal Agreement with the YMCA of Central Ky. for the Lexington-Fayette Urban County Government's Corporate Wellness Program for a period beginning July 1, 2005 and ending June 30, 2006, to be effective retroactive to July 1, 2005.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Quest Engineers, Inc., for the design of the I-75 Noise Abatement Project, increasing the contract price by the sum of \$8,000.00 from \$124,000.00 to \$132,000.00.

A Resolution authorizing the Mayor to execute Change Order No. 2 to the Contract with Woodford Builders, Inc. for the Recycling Center Expansion Project, increasing the contract price by the sum of \$14,247.00 from \$2,180,252.95 to \$2,194,499.95.

\* \* \*  
Upon motion of Ms. Shafer, seconded by Mr. Moloney and passed by majority vote, a Resolution \_\_\_\_\_ **TYPE IN THE RESOLUTION** was placed on the docket and given first reading. **SEE NOTES**

The resolution was ordered placed on file two weeks for public inspection.

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Upon motion of Ms. Shafer and seconded by Mr. Farmer, the following communications from the Mayor were approved by unanimous vote: (1) recommending the appointment of John Delfino to the Raven Run Nature Sanctuary Advisory Board with a term to expire 1-13-2008. Mr. Delfino will fill the unexpired term of Dylan Dillaway; (2) recommending the appointments of Magdalena "Biby" Tinajero and Melanie Tyner-Wilson to the Human Rights Commission with terms to expire 1-1-2006. Ms. Tinajero will fill the unexpired term of Samye Miller and Ms. Tyner-Wilson will fill the unexpired term of Hank Zeitlin; (3) recommending the appointment of Wayne Waddell to the Environmental Hearing Commission with a term to expire 6-1-2006. Mr. Waddell will fill the unexpired term of James Lee; and (4) recommending the appointments of



Bruce Edwards, James Wyrick, Kathy Reynolds, Mary Shake, Martha Billips, Hart Graves, Marie Winfrey and Phyllis McAdam to the Carnegie Literacy Center Board of Trustees with terms to expire 9-1-2009.

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The following communications from the Mayor were received for information only:

(1) Resignation of Joe Wright, Public Service Supervisor, Grade 111N, in the Div. of Traffic Engineering, effective August 19, 2005; (2) Resignation of Dawnita M. Tivis, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective September 7, 2005; (3) Resignation of Wendy Faircloth, Police Trainee, Grade 311N, in the Div. of Police, effective August 31, 2005; (4) Resignation of Harold E. Rich, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective September 14, 2005; (5) Resignation of Kimberly Price, Communications Officer Sr., Grade 113N, in the Div. of Fire, effective September 8, 2005; (6) Resignation of Jonathon Whittaker, Police Officer, Grade 311N, in the Div. of Police, effective October 2, 2005; (7) Resignation of James Sanders, Skilled Trades Worker Sr., Grade 112N, in the Div. of Fire, effective September 6, 2005; (8) Resignation of William Madision, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective September 16, 2005; (9) Resignation of Darren Lizer, Skilled Trades Worker Sr., Grade 112N, in the Div. of Parks, effective September 2, 2005; (10) Resignation of Nathaniel Walker, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective September 16, 2005; (11) Lateral transfer of Michael Neely, Heavy Equipment Technician, Grade 113N, \$20.283 hourly, from the Div. of Fleet Service to the Div. of Fire, effective October 3, 2005; and (12) Reinstatement of La'Yvonne Sensabaugh, Social Worker, Grade 111E, \$1,154.88 bi-weekly, in the Div. of Youth Services, effective October 3, 2005.

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Mr. Bernard McCarthy, 515 Harry Street, spoke about the Fayette Co. School Board and the Bluegrass-Aspendale Blvd. **(LISTEN TO TAPE)**

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Mr. Terrance Tichenor, 548 Grinstead Drive, spoke about the lack of information to the citizens who lived in the Bluegrass-Aspendale Boulevard Project area.

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Reverend \_\_\_\_\_ Sanford, 206 E. 6<sup>th</sup> St., spoke about the need in the East and West neighborhoods for the resurfacing of streets, and about the help that Police Chief Anthany Beatty has been in getting rid of drug users in the neighborhood.

\* \* \*  
Mr. Robert Dalton, 520 Douglas Avenue, Georgetown St. Neighborhood Association, spoke about the North Lexington Neighborhood Alliance that he was starting to give people in this area more of a voice in the community.

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The Council adjourned at 8:45 p.m.

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Clerk of the Urban County Council